

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0534-02
Bill No.: Perfected HB 107
Subject: Attorney General; State; Elections; Governor and Lt. Governor; Secretary of State
Type: Original
Date: February 23, 2011

Bill Summary: This proposal requires special elections to fill vacancies in statewide elected offices.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
General Revenue	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)
Total Estimated Net Effect on General Revenue Fund	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Governor** assume no impact as long as there are no statewide elected official vacancies.

Officials at the **Office of the Secretary of State (SOS)** assume that if a special election is called for this purpose rather than being voted on at a general election, the cost of the special election has been estimated to be \$7 million based on the cost of the previous Presidential Primary and a cost determined by Legislative Oversight.

Oversight has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having a statewide election voted on during a special election in each fiscal year. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in each of the fiscal years. To estimate the expense the state would incur for reimbursing local political subdivisions for a special election, Oversight requested expense estimates from all election authorities for an election. Eighty-six out of the one hundred fifteen election authorities responded to Oversight's request. From these respondents; the total election expense that would have to be reimbursed by the state government is over \$7 million. Therefore, **Oversight** will reflect a potential cost borne by the state in each fiscal year of over \$7 million for reimbursement to the local political subdivisions.

House Amendment 1

Officials at the **Office of the Governor** assume that there is no fiscal impact from this proposal.

Oversight assumes this amendment would allow the Governor to appoint a person to fill the statewide vacancy if the vacancy occurs within one year of the end of the statewide official's term. Oversight assumes that if the vacancy would occur during that time period the special election costs would be saved. Oversight has already shown the impact of this proposal as a possible no impact.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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GENERAL REVENUE

<u>Transfer Out</u> - reimbursement of local political subdivisions for special election costs	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE

<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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LOCAL POLITICAL SUBDIVISIONS

<u>Transfer In</u> - cost reimbursement from the State for the special elections	\$0 or Greater than \$7,000,000	\$0 or Greater than \$7,000,000	\$0 or Greater than \$7,000,000
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<u>Costs</u> - cost of special elections	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>
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ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Currently, the Office of United States Senator and most statewide offices, except for the Office of Governor, may be filled by a gubernatorial appointment when there is a vacancy. This bill requires special elections to be held in order to fill the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer.

If there is a vacancy for any reason in the Office of Lieutenant Governor, Office of Secretary of

JH:LR:OD

FISCAL DESCRIPTION (continued)

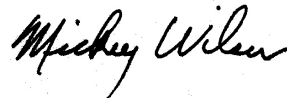
State, or Office of State Treasurer, the Governor will take charge of these offices until a successor is elected at the special election. In the case of an impeachment trial for these offices, the Governor supervises these offices until a final determination is made and there is a reinstatement of the official to office or a special election.

If a vacancy occurs for any reason in the Office of United States Senator, the Office of the Attorney General, or the Office of State Auditor, the Governor will appoint an acting senator, attorney general, or auditor to take charge of the office or hold the office in the case of the United States Senator until the special election is held. In the case of an impeachment in the Office of the Attorney General or the Office of State Auditor, the acting attorney general or auditor will supervise the duties of the office until a final determination is made and there is a reinstatement of the official to office or a special election.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Governor
Office of the Secretary of State



Mickey Wilson, CPA
Director
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